

11/03/04

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LFW/JP

## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/735,256	12/12/2003	Stephen M. Strittmatter	A116 CON

## CONFIRMATION NO. 9794

1473

FISH & NEAVE  
1251 AVENUE OF THE AMERICAS  
50TH FLOOR  
NEW YORK, NY 10020-1105

## FORMALITIES LETTER



\*OC000000013713126\*

Date Mailed: 09/02/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/04/2004 MBLANCO 00000008 10735256

## FILED UNDER 37 CFR 1.53(b)

01 FC:1001	790.00 OP
02 FC:1202	684.00 OP
03 FC:1201	352.00 OP
04 FC:1203	300.00 OP
05 FC:1051	130.00 OP

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 7,98,99 are not in compliance with 37 CFR 1.52(a).

- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1318** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2218** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1318**
  - **\$344** for 4 independent claims over 3.
  - **\$684** for 38 total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*y. G.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



A116 CON

Applicants : Stephen M. Strittmatter et al.  
Application No. : 10/735,256 Confirmation No. 9794  
Title : A1 ADENOSINE RECEPTOR ANTAGONISTS  
Filed : December 12, 2003  
Group Art Unit : 1632  
Examiner : Not yet assigned

Express Mail mailing label number EV270269483US

Date of Deposit November 2, 2004

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Missing Parts.



Claire J. Saintil-van Goodman

Encls.

- 1) Transmittal Letter (in dupl.);
- 2) Response to Notice to File Missing Parts;
- 3) Copy of Notice to File Missing Parts;
- 4) Substitute specification (143 pp.);
- 5) Sequence Listing (139 pp.);
- 6) CRF copy of Sequence Listing (diskette);
- 7) Statements in support of Sequence Listing;
- 8) Check for \$130.00;
- 9) Check for \$2126.00; and
- 10) Postcard.



A116 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not yet assigned  
Group Art Unit : 1632  
Applicants : Stephen M. Strittmatter et al.  
Application No. : 10/735,256 Confirmation No. : 9794  
Filed : December 12, 2003  
For : A1 ADENOSINE RECEPTOR ANTAGONISTS

New York, New York  
November 2, 2004

Mail Stop Missing Parts  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith:  Response to Notice to File Missing Parts;  
 Copy of Notice to File Missing Parts;  substitute specification (143 pp.);  
 Sequence Listing (139 pp.);  CRF copy of Sequence Listing (diskette);  statements  
in support of Sequence Listing;  check for \$130.00; and  check for \$2126.00; to be  
filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

A fee for additional claims is not required.

A fee for additional claims is required.

The additional fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest Number Previously Paid for	Present Extra	Rate	Fees
BASIC FILING FEE					\$790.00
TOTAL CLAIMS	58	-	20*	= 38	x \$18 = \$684.00
INDEPENDENT CLAIMS	7	-	3**	= 4	x \$88 = \$352.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$300	= \$300.00
* If less than 20, insert 20.				TOTAL	\$2126.00

\*\* If less than 3, insert 3.

[X] A check in the amount of \$ 2126.00 in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$ \_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[ ] The following extension is applicable to the Response filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$430.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [ ] 980.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a);

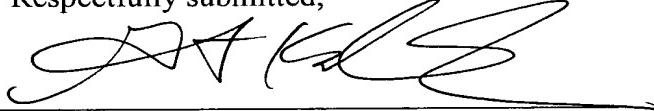
[ ] \$1530.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a);  
[ ] \$2080.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

[ ] A check in the amount of [ ] \$110.00; [ ] \$430.00; [ ] \$980.00; [ ] \$1530.00;  
[ ] \$2080.00 in payment of the extension fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge the [ ] \$110.00; [ ] \$430.00; [ ] \$980.00; [ ] \$1530.00;  
[ ] \$2080.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)  
Karen Mangasarian (Reg. No. 43,772)  
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